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#38
Supp. Response
S. Bryce
8/12/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/156,276
Filed: September 17, 1998
Group Art Unit: 3763
Examiner: Cris Rodriguez
Applicant: Rohit C. L. Sachdeva et al.
Title: MEDICAL INSTRUMENT WITH SLOTTED MEMORY METAL TUBE
Attorney Docket: STSC-10
Confirmation No.: 9838

Cincinnati, Ohio 45202

August 14, 2003

Box NON-FEE AMENDMENT
Commissioner for Patents
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Sir:

SUPPLEMENTAL RESPONSE

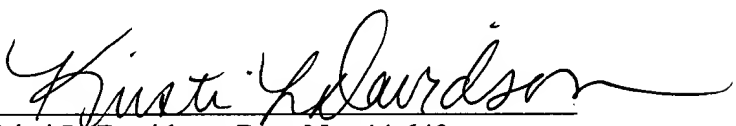
This paper is responsive to the Advisory Action mailed July 25, 2003. The Examiner has indicated that the amended language to claim 1 is confusing. Applicants refer the Examiner to FIGS. 1-4 wherein there is shown a slotted section between two non-slotted, solid sections. In FIG. 1A, for example, reference number 11, which refers to the solid monolithic tube, is positioned both above and below the slotted section 12, such that there are two non-slotted, solid sections with a slotted section therebetween. This

structure is distinct from the structure of Ham et al., where the slotted section is monolithic with a solid tube at one end and joined adhesively to a distal collar at the other end. Ham et al. further includes a wire fixed to the distal collar, which wire is necessary to operate the slotted section. This 3-piece structure of Ham et al. is distinct from the one-piece construction of the present invention having two non-slotted, solid sections monolithic with an intermediate slotted section. Applicants thus respectfully assert that the language of amended claim 1 is clear, and serves to distinguish claim 1 over the cited reference. In light of the remarks in this submission and the amendments and remarks in the submission of July 2, 2003, a Notice of Allowability of claims 1, 7 and 21 is respectfully requested.

Applicants are of the opinion that no additional fee is due as a result of this amendment. If any charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

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